

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT of INDIANA
Case No. 1:22-cv-1993-TWP-MJD

FILED

11/12/2022

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
Roger A.G. Sharpe, Clerk

JOEY KIMBROUGH,
Plaintiff,

v.

AMERICAN EXPRESS COMPANY AKA
AMERICAN EXPRESS NATIONAL
BANK;

and

TRANS UNION LLC (*settled and
dismissed*)

Defendants.

Honorable Tanya Walton Pratt

Magistrate Judge Mark J. Dinsmore

**AFFIDAVIT IN SUPPORT OF PLAINTIFF'S REQUEST FOR ENTRY OF
DEFAULT AND MOTION FOR ENTRY OF JUDGMENT**

1. I, Joey Kimbrough, am an individual resident of the State of Indiana and am over eighteen (18) years of age. As to the facts of this Affidavit, I know them to be true of my knowledge or have obtained knowledge of them from my review of business records and personal files. If called upon to testify as to the matters set forth in this Affidavit, I could and would competently testify thereto.

EXHIBIT A

Actual Damages

2. Community First Bank lost loan \$2,100,000.00
3. Emotional Distress (to include counseling through Family Piece, Kokomo, IN)
\$1,500,000.00

Statutory and Court Costs

4. Statutory violations \$3000.00
5. Court Costs \$410.00

Punitive Award

6. \$1,500,000.00

Summary

7. As of November 12th, 2022, the balance due for damages is Five-Million One-Hundred Three-Thousand Four-Hundred Ten (\$5,103,410.00), as follows:

Actual Damages	\$3,600,000.00
Statutory and Court Costs	\$3410.00
Punitive	<u>\$1,500,000.00</u>
Total	\$5,103,410.00

8. Joey Kimbrough reserves the right to and may elect, in the future, to petition the Court for a supplemental judgment for any additional fees, costs, and expenses to which Joey Kimbrough is entitled to, but which is not awarded as part of any judgment entered in this matter.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE.

Dated: November 12th, 2022

/s/ Joey Kimbrough
Joey Kimbrough